

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

CARLOS TERRILL MAXWELL,                  )  
    )  
    )  
Plaintiff,                                    )  
    )  
    )  
v.    )         Case No. CIV-14-50-D  
    )  
    )  
REECE LANE, Jail Administrator,            )  
*et al.*,                                      )  
    )  
    )  
Defendants.                                    )

**O R D E R**

This matter comes before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Suzanne Mitchell on October 17, 2014, pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Mitchell finds that Plaintiff has failed to effect timely service of process on any defendant and that the action should be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m).

Plaintiff, who appears *pro se*, has not filed a timely objection to the Report nor requested additional time to object, although he was expressly advised of the right to object, the deadline for objections, and the consequences of failing to object. Upon consideration, the Court finds that Plaintiff has waived further review of the issues addressed in the Report.

*See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996). In addition, upon *de novo* consideration of the issues, the Court finds Judge Mitchell's analysis to be correct. The Court therefore concurs in Judge Mitchell's recommendation of dismissal for lack of service.

IT IS THEREFORE ORDERED that the Court adopts the Report and Recommendation [Doc. No. 29] in its entirety. This action is dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m). A separate judgment of dismissal shall be entered.

IT IS SO ORDERED this 14<sup>th</sup> day of November, 2014.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE